

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ALISHA CLARK WALKER,

Plaintiff,

-v-

1:22-CV-560

RICHARD RIVERA *et al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

ALISHA CLARK WALKER

Plaintiff, Pro Se

757 Taborton Road

Sand Lake, NY 12153

DAVID N. HURD

United States District Judge

ORDER ON REPORT & RECOMMENDATION

On May 26, 2022, *pro se* plaintiff Alisha Clark Walker (“plaintiff”) filed this action alleging that defendants violated her civil rights in connection with a child custody dispute. Dkt. No 1. Along with her complaint, plaintiff sought leave to proceed *in forma pauperis* (“IFP Application”). Dkt. No. 2.

On June 29, 2022, U.S. Magistrate Judge Thérèse Wiley Dancks granted plaintiff’s IFP Application for the purpose of an initial review and advised by Report & Recommendation (“R&R”) that plaintiff’s complaint be dismissed

with leave to amend. Dkt. No. 4. Although Judge Dancks observed that plaintiff's claims—which are asserted against various participants in underlying state court child custody proceedings—were almost certainly barred by various jurisdictional or immunity principles, in light of plaintiff's *pro se* status Judge Dancks concluded that plaintiff should be given an opportunity to amend. *Id.*

Plaintiff has not filed objections, and the time period in which to do so has expired. *See* Dkt. No. 4. Upon review for clear error, the R&R will be accepted and adopted in all respects. *See* FED. R. CIV. P. 72(b).

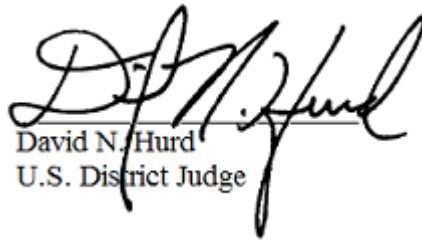
Therefore, it is

ORDERED that

1. The Report & Recommendation is ACCEPTED;
2. Plaintiff's complaint is DISMISSED with leave to amend;
3. Plaintiff shall have thirty days from the date of this Order in which to amend her pleading in accordance with the instructions set forth in Judge Dancks's Report & Recommendation and this Order; and
4. If plaintiff does not file an amended complaint within this thirty-day period, the Clerk of the Court shall enter a judgment accordingly and close the file without further Order of this Court.

IT IS SO ORDERED.

Dated: July 18, 2022
Utica, New York.



David N. Hurd
U.S. District Judge